



Flathead County

Planning & Zoning

40 11th Street West, Suite 220 Kalispell, MT 59901

Telephone 406.751.8200 Fax 406.751.8210

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ 2,075

SUBDIVISION NAME: The Crossings at Bachelor Grade

OWNER(S) OF RECORD:

Name: Norman and Margaret Kauffman Family Trust, Marlin Kauffman trustee Phone: 406-249-8432

Mailing Address: 420 Bachelor Grade

City, State, Zip: Kalispell, MT 59901

Email: marlinruisconstruction@outlook.com

APPLICANT (IF DIFFERENT THAN ABOVE):

Name: Same Phone: _____

Mailing Address: _____

City, State, Zip Code: _____

Email: _____

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: 406 Engineering, Inc. Phone: 406-257-0679

Mailing Address: 35 8th Street East

City, State, Zip: Kalispell, MT 59901

Email: nathanL@406eng.com

Name: _____ Phone: _____

Mailing Address: _____

City, State, Zip: _____

Email: _____

LEGAL DESCRIPTION OF PROPERTY:

Street Address ~480 Bachelor Grade

City/State & Zip Kalispell, MT 59901

Assessor's Tract No.(s) 7C & 3B Lot No.(s) Parcel A of COS 18982

Section 11 & 12 Township 28N Range 20W

GENERAL DESCRIPTION/TYPE OF SUBDIVISION: _____

Nine lot single-family residential major subdivision on 42.37 acres.

Number of Lots or Rental Spaces 9 Total Acreage in Subdivision 42.37 acres

Total Acreage in Lots 42.37 acres Minimum Size of Lots or Spaces 3.53 acres

Total Acreage in Streets or Roads 3.00 acres Maximum Size of Lots or Spaces 7.34 acres

Total Acreage in Parks, Open Spaces and/or Common Areas 0.00

PROPOSED USE(S) AND NUMBER OF ASSOCIATED LOTS/SPACES:

Single Family 9 Townhouse _____ Mobile Home Park _____

Duplex _____ Apartment _____ Recreational Vehicle Park _____

Commercial _____ Industrial _____ Planned Unit Development _____

Condominium _____ Multi-Family _____ Other _____

APPLICABLE ZONING DESIGNATION & DISTRICT: Unzoned

IS SUBJECT PROPERTY LOCATED WITHIN 3-MILE BUFFER OF KALISPELL, WHITEFISH, OR COLUMBIA FALLS? No

ESTIMATE OF MARKET VALUE BEFORE IMPROVEMENTS: \$800,000

IMPROVEMENTS TO BE PROVIDED:

Roads: _____ Gravel ☒ Paved _____ Curb _____ Gutter _____ Sidewalks _____ Alleys _____ Other _____

*** Water System:** ☒ Individual _____ Shared _____ Multiple User _____ Public _____

*** Sewer System:** ☒ Individual _____ Shared _____ Multiple User _____ Public _____

Other Utilities: _____ Cable TV ☒ Telephone ☒ Electric _____ Gas _____ Other _____

Solid Waste: _____ Home Pick Up _____ Central Storage ☒ Contract Hauler _____ Owner Haul _____

Mail Delivery: ☒ Central _____ Individual _____ School District: Cayuse Prairie

Fire Protection: _____ Hydrants _____ Tanker Recharge _____ Fire District: Creston

Drainage System: On-site swales, roadside ditches, culverts per DEQ approval.

* **Individual** (one user)

Shared (two user)

Multiple user (3-9 connections or less the 25 people served at least 60 days of the year)

Public (more than 10 connections or 25 or more people served at least 60 days of the year)

* If the water supply and wastewater treatment systems are shared, multiple user, or public, provide a statement of whether the systems will be public utilities as defined in [69-3-101](#) and subject to the jurisdiction of the public service commission or exempt from public service commission jurisdiction. If exempt, provide an explanation for the exemption.

PROPOSED EROSION/SEDIMENTATION CONTROL: _____

Natural vegetation, vegetative buffers, ditches, re-vegetation of disturbed areas.

VARIANCES: ARE ANY VARIANCES REQUESTED? Yes _____ (yes/no)

(If yes, please complete the information on page 3)

SECTION OF REGULATIONS CREATING HARDSHIP: 4.7.17(a) - Paving Requirement. The applicant is requesting a variance from the requirement to pave the on-site subdivision roads with hot mix asphalt. They want to pave with asphalt millings.

PLEASE RESPOND TO THE FOLLOWING STATEMENTS IN THE SPACES PROVIDED

BELOW: (The Commission shall not approve a variance unless it finds that all of the following are met)

1. The variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.
The roadway is still intended to be paved. But, it will not be paved with hot mix asphalt. Rather, it will be paved with asphalt millings, which is the same method used for paving Bachelor Grade by the County road department. The end result will be a similar product to hot mix asphalt and therefore not be detrimental to the public health, safety, or general welfare. Most people cannot distinguish between an asphalt millings roadway versus a hot mix asphalt paving product.
2. Due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self imposed.
The developer isn't intending to NOT comply with the regulations so it is somewhat unclear whether a variance is even needed. The regulations say paving is required, but paving is not defined as being hot mix asphalt. However, to be transparent about the developer's intent, which is to pave the roads with asphalt millings, a variance is being sought to document the developer's intent. Paving with asphalt millings has already been done by the County on other roadways including Bachelor Grade, which has the same appearance as a hot mix asphalt paving job.
3. The variance will not cause a substantial increase in public costs, now or in the future.
The roads proposed for paving with asphalt millings are privately owned and maintained. Maintenance costs of the roads - whether paved with hot mix or with asphalt millings - will be borne by the subdivision lot owner. Therefore, the variance does not affect any public costs, now or in the future.
4. The variance will not place the subdivision in nonconformance with any adopted growth policy, neighborhood plan or zoning regulations.
Approving this variance will not place the subdivision in nonconformance with any adopted growth policy. There is not a neighborhood plan that applies to the property. The property is unzoned.
5. The variance is consistent with the surrounding community character of the area.
Approval of this variance will maintain this subdivision to be consistent with surrounding community character. Bachelor Grade, which is the primary access road to the subdivision, is already paved with asphalt millings versus hot mix asphalt.

APPLICATION CONTENTS:

1. Completed Preliminary Plat application (*If submitting bound copies of the application materials, please also include one **unbound** copy for replication purposes*).
2. 14 folded copies of the preliminary plat. (*Either 18" X 24" or 24" X 36" per Appendix B- Flathead County Subdivision Regulations*).
3. One reproducible set of supplemental information (*See Appendix B -Flathead County Subdivision Regulations*).
4. One reduced copy of the preliminary plat not to exceed 11" x 17" in size.
5. Application fee.
6. A separate fee made out to 'GIS' for the 'Adjoining Property Owners List'. The list will be sent directly to the Planning & Zoning office and is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.

This application shall be submitted, along with all information required by the applicable Subdivision Regulations and the Montana Subdivision and Platting Act, and the appropriate fee to:
Flathead County Planning & Zoning Office 40 11th Street West, Ste 220
Kalispell, Montana 59901 - Phone: (406) 751-8200 Fax: (406) 751-8210

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning and Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.

Mark Kauffman
Applicant Signature

9-7-21
Date

Mark Kauffman Trustee
Owner(s) Signature (*all owners must sign*)

9-7-21
Date